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2 BILL NO. S-80- 05-07

3 SPECIAL ORDINANCE NO. S- 53-80

4 ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE TO  
5 ISSUE ITS "ECONOMIC DEVELOPMENT FIRST MORTGAGE  
6 REVENUE BONDS, SERIES 1980 (TEC-HACKETT, INC.  
7 PROJECT)" AND APPROVING OTHER ACTIONS WITH  
8 RESPECT THERETO

9 WHEREAS, the Fort Wayne Economic Development Commission has  
10 rendered its project report for the Tec-Hackett, Inc. project,  
11 regarding the financing of proposed economic development facilities  
12 for use by Tec-Hackett, Inc. and the Fort Wayne Plan Commission  
13 has commented favorably thereon; and

14 WHEREAS, the Fort Wayne Economic Development Commission  
15 conducted a public hearing on January 22, 1980 and also adopted  
16 Resolutions on January 22, 1980 and April 21, 1980, which  
17 Resolutions have been transmitted hereto, finding that the  
18 financing of certain economic development facilities for use by  
19 Tec-Hackett, Inc. complies with the purposes and provisions of  
20 I.C. 18-6-4.5 and that such financing will be of benefit to  
21 the health and welfare of the City of Fort Wayne and its citizens;  
22 and

23 WHEREAS, the Fort Wayne Economic Development Commission has  
24 heretofore approved and recommended the adoption of this form of  
25 ordinance by this Common Council and has approved the forms of  
26 and has transmitted for approval by the Common Council the Loan  
27 Agreement and Mortgage and Indenture of Trust; now therefore,

28 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT  
29 WAYNE, INDIANA, THAT:

30 Section 1. It is hereby found that the financing of the  
31 economic development facilities referred to in the Loan Agreement  
32 approved by the Fort Wayne Economic Development Commission and  
33 presented to this Common Council, the issuance and sale of revenue  
34 bonds, the loan of the proceeds of the bonds for the acquisition  
35 and construction of facilities for Tec-Hackett, Inc., the payment  
36 of the revenue bonds by the note payments of Elizabeth A. Hughes  
37  
38

1 under the Loan Agreement and Note, and the securing of said bonds  
2 by the mortgage of such facilities to the Trustee under the  
3 Mortgage and Indenture of Trust complies with the purposes and  
4 provisions of I.C. 18-6-4.5 and will be of benefit to the health  
5 and welfare of the City of Fort Wayne and its citizens.

6 Section 2. The final forms of the Loan Agreement, Note  
7 and Mortgage and Indenture of Trust approved by the Fort Wayne  
8 Economic Development Commission are hereby approved and all such  
9 documents (herein collectively referred to as the "Financing  
10 Agreement" referred to in I.C. 18-6-4.5), shall be incorporated  
11 hereby by reference and shall be inserted in the minutes of the  
12 Common Council and kept on file by the Clerk.

13 Section 3. The City of Fort Wayne shall issue its  
14 Economic Development First Mortgage Revenue Bonds, Series 1980  
15 (Tec-Hackett, Inc. Project) in the total principal amount of  
16 Two Hundred Sixty Thousand Dollars (\$260,000.00) for the purpose  
17 of procuring funds to pay the costs of acquisition, construction  
18 and equipping of the economic development facilities as more  
19 particularly set out in the Loan Agreement and Mortgage and  
20 Indenture of Trust incorporated herein by reference, which bonds  
21 will be payable as to principal, premium, if any and interest from  
22 the note payments made by Elizabeth A. Hughes under the Loan  
23 Agreement and Note or as otherwise provided in the above-described  
24 Mortgage and Indenture of Trust. The Bonds shall never constitute  
25 a general obligation of, an indebtedness of, or a charge against  
26 the general credit of the City of Fort Wayne.

27 Section 4. The Mayor, Clerk and/or Controller are author-  
28 ized and directed to sell such bonds to the purchasers thereof  
29 at an interest rate on the bonds not to exceed  $9 \frac{3}{4}$  per annum  
30 and at a price not less than 100% of the principal amount thereof.

31 Section 5. The Mayor and Clerk are authorized and directed  
32 to execute the documents constituting the Financing Agreement  
33 approved herein on behalf of the City and any other document  
34 which may be necessary or desirable to consummate the transaction


1 including the bonds authorized herein. The signature of the  
2 Mayor and Clerk may be facsimile signatures. The Clerk and/or  
3 Controller are authorized to arrange for delivery of such bonds  
4 to the Trustee named in the Mortgage and Indenture of Trust,  
5 payment for which will be made to the Trustee named in the Mortgage  
6 and Indenture of Trust and delivered by the Trustee to the  
7 purchasers thereof.

8 Section 6. The provisions of this Ordinance and the  
9 Mortgage and Indenture of Trust securing the bonds shall constitute  
10 a contract binding between the City of Fort Wayne and the holder  
11 of the Economic Development First Mortgage Revenue Bonds, Series  
12 1980 (Tec-Hackett, Inc. Project), and after the issuance of  
13 said bonds, this Special Ordinance shall not be repealed or  
14 amended in any respect which would adversely affect the rights of  
15 such holders so long as any of said bonds or the interest thereon  
16 remains unpaid.

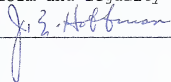
17 Section 7. This Ordinance shall be in full force and effect  
18 from and after its passage and signing by the Mayor.

19 Passed and adopted this \_\_\_\_ day of \_\_\_\_\_, 1980.

20  
21 CITY OF FORT WAYNE

22  
23   
24 Councilperson

25 Approved as to  
26 form and legality

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Read the first time in full and on motion by Stier,  
seconded by Eisbart, and duly adopted, read the second time  
by title and referred to the Committee Finance (and the City  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,  
Indiana, on \_\_\_\_\_, 19\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: 5-13-80

Charles W. Westerman  
CHARLES W. WESTERMAN  
CITY CLERK

Read the third time in full and on motion by Stier,  
seconded by Eisbart, and duly adopted, placed on its  
passage. PASSED (LAST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u>0</u>	_____	_____	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>X</u>	_____	_____	_____	_____
<u>GIAQUINTA</u>	<u>X</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHOMBURG</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	<u>X</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 5-27-80

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,  
Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL)  
(APPROPRIATION) ORDINANCE (RESOLUTION) No. 2-53-80  
on the 27th day of May, 19 80.

ATTEST:  
Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

(SEAL)  
Virian A. Schmidt  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on  
the 28th day of May, 19 80, at the hour of  
11:30 o'clock A. M., E.S.T.

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 2nd day of June  
19 80, at the hour of 10 o'clock A. M., E.S.T.

Winfield C. Moses, Jr.  
WINFIELD C. MOSES, JR.  
MAYOR

*Handwritten signature*

BILL NO. S-80-05-07

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS REFERRED AN  
ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE TO ISSUE ITS "ECONOMIC  
DEVELOPMENT FIRST MORTGAGE REVENUE BONDS, SERIES 1980 (TEC-HACKETT,  
INC. PROJECT)" AND APPROVING OTHER ACTIONS WITH RESPECT THERETO

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE Do PASS.

JAMES S. STIER, CHAIRMAN

MARK GIAQUINTA, VICE CHAIRMAN

BEN EISBART

PAUL M. BURNS

DONALD J. SCHMIDT

*Handwritten signatures: James S. Stier, Mark E. Giaquinta, Ben Eisbart, Paul M. Burns, Donald J. Schmidt*

CONCURRED IN

5-27-80  
DATE

CHARLES W. WESTERMAN, CITY CLERK

*adopted 4/21/80*

RESOLUTION

FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION  
FORT WAYNE, INDIANA

BE IT RESOLVED BY THE FORT WAYNE ECONOMIC DEVELOPMENT  
COMMISSION THAT:

Section 1. It finds that the proposed financing of economic development facilities referred to in the form of Financing Agreement (as defined in the Minutes) presented to this meeting for use by Tec-Hackett, Inc. complies with the purposes and provisions of I.C. 18-6-4.5 and will be of benefit to the health and welfare of the City of Fort Wayne and its citizens.

Section 2. The final forms of the Loan Agreement, Mortgage and Indenture of Trust, Real Estate Lease, Lessee's Consent and Agreement to Lease Assignment, and Collateral Assignment of Lease and Rentals along with a proposed form of Special Ordinance for the Common Council presented to this meeting are hereby approved.

Section 3. The proposed economic development facilities will not have an adverse competitive effect on any similar facilities already under construction or in operation in the City of Fort Wayne, Indiana.

Section 4. The Secretary shall initial and then insert a copy of the forms of documents approved by this Resolution in the Minute Book of this Commission.

Section 5. A copy of this Resolution and the other form of documents approved by this Resolution and the proposed form

of Special Ordinance shall be presented in their final form by Counsel for the Economic Development Commission or by any member of this commission to the Clerk for presentation to the Common Council.

Adopted this 21st day of April, 1980.

FORT WAYNE ECONOMIC  
DEVELOPMENT COMMISSION

By: Wayne P. Simerman, President

                      
Secretary

DIGEST SHEET

TITLE OF ORDINANCE: Special Ordinance

*8-80-05-07*

DEPARTMENT REQUESTING ORDINANCE: Economic Development Commission

SYNOPSIS OF ORDINANCE: Ordinance authorizing the City of Fort Wayne  
to issue its "Economic Development First Mortgage Revenue Bonds,  
Series 1980" (Tec-Hackett, Inc. Project)" and approving other actions  
with respect thereto.

EFFECT OF PASSAGE: The issuance and sale of revenue bonds for the  
acquisition, construction and equipping of facilities.

EFFECT OF NON-PASSAGE: Non-construction of facilities.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS): \$ 260,000.00

ASSIGNED TO COMMITTEE: \_\_\_\_\_